IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WEALTH TAX APPLICATION NOS. 1/1993, 2/1993, 9/1993, 10/1993, 11/1993, 3/1993, 4/1993, 5/1993, 6/1993, 7/1993, 8/1993 & 12 OF 1993

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

CORAM : J. P. DEVADHAR AND
B.P. DHARMADHIKARI, JJ.
JUNE 19, 2007.

Heard Shri Jaiswal, learned counsel for the applicant and Shri Bhattad, learned counsel for the respondent.

All these applications were admitted on the following common questions of law :

"1. Whether on the facts and in the circumstances of the case, the Income Tax Appellate Tribunal was correct in cancelling the penalties levied by the WTO u/s. 18(1)(a) of the W.T. Act for the Assessment Years 1981-82 to 1985-86 and u/s. 18(1)(c) for the Assessment Years 1981-82 to 1987-88 ?

2. Whether on the facts and in the circumstances of the case, the Income Tax Appellate Tribunal was correct in holding that the Amnesty Scheme is squarely applicable to

the assessee when search and seizure operation was conducted in the business premises of the assessee ?”

The counsel on both sides agree that the similar questions raised by the revenue in the income-tax proceedings have been already allowed and statement of the case has been called from the Tribunal.

In this view of the matter, all these Wealth Tax Applications are allowed. The Tribunal is directed to forward the statement of the case on the questions set out above as expeditiously as possible.

These applications are disposed of accordingly. No order as to costs.

JUDGE **JUDGE**

*GS.